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ADDRESS

OF THE

BRISTOL

Constitutional Society

FOR A

Parliamentary Reform,

TO THE

PEOPLE

OF

GREAT-BRITAIN.

April 14,

1794.

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ADDRESS, &c.

Friends, Countrymen, and Fellow-Citizens!

AT this momentous period,—a period that involves our own and posterity's welfare, it behoves us as Britons, if we have any claim to Freedom, to demand in a tone of language which is irresistible, the renovation of that Constitution, which is our boast—our glory—our birth-right.

The day is past when ministerial mandates were considered as Constitutional Principles; and a few months experience, has convinced, by far the majority of the sensible part of the community, that the present ruinous, or at least unprofitable war, was waged more against opinions, than for the protection of the Laws, Liberties, and Religion of these kingdoms.

If our Constitution has all its boasted excellence why preclude inquiry? Why thwart an attempt to cleanse the Augean stable, and restore the Constitution to its original purity? Either there must be something in *itself* which cannot bear investigation, or that those who are principally instrumental in demanding *confidence* instead of permitting inquiry, are conscious, that they have nothing but the strong Bulwark of their power and influence, to justify their dangerous infringements on Constitutional Liberty.

In order, however, to enable Britons to judge for themselves, we propose to take a short retrospective view of the BRITISH

CONSTITUTION; to point out its peculiar excellencies; the benefits resulting therefrom; and the dangers of those innovations, which threaten our very political existence.

By some writers, it has been denied that we have a Constitution; because, say they, the people never assembled in their original capacity, or by their delegates, to agree upon the fundamental principles of a Constitution. To meet in their original capacity for the purpose of fixing a basis for Legislation, has been the lot of few nations upon earth: are we thence to infer, that none except those who were thus circumstanced, have a Constitution? Surely not. Those axioms or principles, upon which the Government of any country is founded may be justly said to be its Constitution, whether introduced by the strong hand of a conqueror;—the confederacy of powerful Aristocrats;—the struggle of Monarchs against ambitious individuals, wherein each, in order to strengthen his own cause, *granted* to the people some degree of Liberty; or whether the people emancipating themselves from Slavery and Oppression, chose voluntarily the form of their own Government.

The *British Constitution*, therefore, is not the less so, on account of its not having been obtained at once by mutual effort: but established as it was, by the wisdom, circumstances, and experience of succeeding ages, it is perhaps the best suited to practical purposes that ever was devised. It is clear, that the great out-line of our Constitution, is Monarchy, Aristocracy, and Democracy blended. The first, to give promptitude, efficacy, and vigour in the execution of the Law, through the medium of its organ the King;—the second to give permanent assistance and council to his Majesty; to act in a supreme judicial, as well as legislative, capacity: and the
third,

third, to collect the united wisdom, and public virtue of the people into one focus, in order to enact wholesome Laws, upon the basis of the Constitution, for the mutual benefit and protection of all.

The two first Branches, are by our Constitution declared Hereditary. This, although it may give dignity and power, can never insure, wisdom and integrity. And, therefore, we find that the most ignorant and tyrannical Governments that ever existed, were composed of those two branches. The old Government of France,---the Russians, Spanish, and various Governments of Europe, are striking instances of this truth: It follows, therefore, that the peculiar excellence of the British Constitution, consists chiefly in the third branch; and all the blessings resulting therefrom, depend upon keeping the latter *wholly dependent* on the people, and totally *independent* of the former two.

This being admitted, it must appear obvious, that the two first branches, in the hands of weak, wicked, and ambitious men, have the most dangerous and fatal tendency; and requires all the ability---all the vigilance; and all the patriotic virtue of the third branch, to form a due corrective, and secure the lives, liberty, and property of the people, from the active and corroding inroads of power and influence.

According to the spirit and letter of our Constitution, the people ought to have the full and unbiassed choice of their Representatives; and the moment that the Hereditary branches, either directly or indirectly, interfere in the election of *one single Member*, that moment, the Constitution is violated, and the Liberties of the subjects are in danger. What then becomes

becomes of our boasted Constitution, when the majority of the House of Commons, is *nominated* by the *Crown* and the *House of Lords*, or *influenced* by powerful incitements of *places* and *pensions*?

By the MAGNA CHARTA, considered as the fundamental act of our Constitution, it is provided, that there shall be '*full* '*free*, and *frequently* elected Parliaments.' Evidently meaning by *full* Parliaments, that the whole body of the people were intitled to a choice: and, indeed, this must be the case, as the whole body of the people are taxed;---taxation without representation is Tyranny; therefore, the people have a right to claim universal suffrage. For where is the man who is not taxed? Every one is taxed, in proportion to his consumption of taxed articles. By *free* Parliaments, it is obvious, that the people were to exercise their own judgments in the elections, and any interference of influence or force, was strictly Unconstitutional. And by *frequent* Parliaments, most certainly was meant that they were to be renewed at short periods, in order to keep their deliberations free from influence or corruption.

As by the immutable Laws of Nature, all men are equal; so the Antient Framers of our Constitution, following nature's dictates, declared all men equal in a political sense. All free, so far as was consistent with the social union:—all equally entitled to privileges, immunities, honors, and preferments according to their respective merits;—all subject to the expences of the state according to their means; and, all equally protected, by the impartial administration of the Law.

This, O Britons! is your boasted, envied, glorious Constitution. This, is the pure source from which spring happiness, wealth,

wealth;—National independence; and, above all, the independence of the human mind.

From a source so genuine, must flow blessings innumerable. The Laws enacted upon the basis of EQUALITY, cannot be oppressive; hence it is provided by the *Magna Charta*, that ‘No Freeman shall be taken or imprisoned, or be dispossessed of his freehold, or Liberties, or free customs; or be outlawed, or exiled, or any otherwise destroyed; nor shall we pass upon him, or condemn him, but by the lawful judgment of his Peers, or by the Law of the Land. WE SHALL SELL TO NO MAN, WE SHALL DENY NOR DEFER TO ANY MAN, EITHER JUSTICE or RIGHT.’

This article is one of the noblest our Constitution can boast of. Striking at the root of despotism, it preserves the people free from the malignity of men in power. It implies, also, that the LAW of the LAND ought to be simple and chaste, not complicated and contradictory;—should be open to men of all ranks;—quick and certain in its operation; and attended with little or no expence in its administration.

A Constitution thus vigorous, wise, and virtuous, must insure internal tranquillity, and external fame.—Under the fostering wings of a Government founded upon such principles, we are nourished and protected:—it is our natural guardian; peace and prosperity are its objects;—it looks with reverence to the people as the fountain of original power;—it possesses their confidence in return as their faithful deputy.—It deliberates with wisdom.—It determines by the unerring Laws of Justice; and executes with integrity. Such a Government, collects into one point all the energy of the Nation; and diffuses Universal Benevolence,

Benevolence, Love, and Fraternity. A Nation thus circumstanced, has nothing to fear from external Enemies; such a Nation indeed can have no Enemies; she must be confided in, respected, and admired by all the World. Such a Nation is too Magnanimous;---too Wise;--- too Powerful, to dread the attack of any Despot upon earth.

CITIZENS, such are the blessings attendant on the pure operation of your Constitution.---Such the situation you enjoy among surrounding Nations, when adhering to the principles of Nature.

What then has occasioned the fatal consequences we now feel? Whence proceed the rapid strides of Despotism? The intricacy, obscurity, inequality, and expensiveness of our Laws? The destructive wars, in which we are frequently engaged? The accumulation of National Debt? The pressure of enormous taxes? The increasing corruption and luxury of the Great? The increase of miserable, and helpless poor? The prodigious advance on the price of all the necessities of life? The decay of trade and manufacture? And what are the reasons for the general languor, apathy, and timid submission that now pervade the minds of Britons? What, but a departure from the dictates of Nature? What, but blindly *resigning up* all that is valuable in our admirable Constitution? What, but forging the fetters for our own feet; and crouching down, to take *on* the Yoke of Oppression? For who are to blame for the heavy load of taxes and abuses the Nation groans under, but the very people who pay and suffer them? Were the People solicitous in preserving the Constitution in its original purity, they would not have suffered their dearest rights to be frittered away; but
would

would have reserved the *invaluable* liberty of chusing honest and fit men to manage their affairs,---men who are possessed of Love for their Country and the interest of those they represent,---who would boldly declare against all imposition.---It is the people's own indolence and inattention that ruin them.

The whole security we boast of, as a barrier against oppression is broken down. The House of Commons cannot be said to be the real Representatives of the people; they are elected by very few of them; and are not accountable to the general body of the people, for their conduct. Let us take a concise review of the manner of returning the Members of the House of Commons, and this truth will appear in a very convincing shape. This statement is taken from Mr. Grey's petition to the House of Commons on the subject of a Parliamentary Reform presented 6th, of May 1793, and is as follows. Seventy Members of the Commons House of Parliament are returned by thirty-five places, where the right of voting is vested in Burgage and other Tenures, and where the number of Voters is so inconsiderable, as to reduce the elections to a mere matter of form.

Ninety Members more, are elected by forty-six places, in none of which, the number of Voters exceeds fifty.

Thirty seven Members more, are elected by nineteen places, in none of which, the number of Voters exceeds one hundred.

Fifty two Members more, are returned to serve in Parliament by twenty-six places, in none of which the Voters exceed two hundred.

Twenty Members more, are elected to serve in Parliament for Counties in Scotland, by less than two hundred and fifty Voters each.

That thirteen districts of Burghs in Scotland, not containing one hundred of Voters each, and two districts of Burghs not containing one hundred and twenty five Voters each, return fifteen more members.

From the minutiae of the Statement, also, it is proved, that the Crown and the House of Lords nominate ninety Members of the House of Commons, and influence seventy nine more.--- Total one hundred and sixty nine.

That a few wealthy and powerful Commoners nominate eighty two Members of the House of Commons, and influence fifty seven more;---Total one hundred and thirty nine; making together three hundred and eight. A number forming an absolute Majority of that House, said to be the organ of the people. Under such Nomination and Influence, the HOUSE OF COMMONS may be more properly stiled a DEPUTY ARISTOCRACY, as, take in the whole scale of Election, not a *two hundredth part* of the people, have the power of choice.

Our ancestors were sensible of the danger of Aristocratical Interference; and, therefore, by the 8th article of the Bill of Rights it is enacted 'that all elections for Members to serve in 'Parliament ought to be free.' And at the commencement of every Sessions of Parliament the House of Commons resolve 'That no Peer of the Realm hath any right to give his vote for 'any Member to serve in Parliament,' and also, 'That it is a 'high infringement upon the Liberties of the Commons of 'Great-Britain, for any Lord of Parliament, or any Lord-Lieutenant of any county, to concern themselves in the elections of Members, to serve for the Commons House of Parliament. How far the Honourable House can repeat these Resolutions with propriety, we leave with the impartial public to judge?

Inadequate

Inadequate as the state of Representation is, as established at the Revolution, it has, at least in theory, some appearance of disinterestedness: hence it was provided, that men of *moderate fortunes*, were eligible to serve as Members of Parliament.

The *language* of the Law, requires, as a qualification, that a Candidate should be possessed of only a few hundred pounds per annum; while, were his fortune so limited, notwithstanding he may possess all the Ability and Patriotism necessary for the important trust, the vast expence of contested elections most effectually excludes him from the Privilege. It was provided, also, at the Revolution as a security against the influence of the Crown, 'that NO PERSON who has any office under the King, or 'receives any pension from the Crown, shall be capable of 'serving as a Member of the House of Commons.' This wise provision, is entirely disregarded, and although upon the acceptance of a place, a Member vacates his seat *pro forma*, he is liable to be, and is in general re-elected. Hence the vast influence of the Crown in the deliberations of the House of Commons; which, added to the interference of the Nobles, renders that House little more than *nominal*; and this grand Bulwark of British Liberty, in the hands of an ambitious Minister, may be converted into an engine of National destruction.

Further, it was at the Revolution enacted, that Parliaments were to be elected 'once in three years at least;' yet we find, that in the reign of George the First, Parliament voted itself SEPTENNIAL. Thereby establishing its own Supremacy. A stretch of Power altogether Unconstitutional:---as well might they have doubled the number of years;---voted themselves
Members

Members during their natural lives ;---or declared at once the House of Commons Hereditary.

The fact is, that Parliament has no *Right* whatever to alter one *iota* of the Constitution. If in the course of experience the Constitution shall be found defective, then, and in that case, an appeal must be made to the people, who shall send Deputies for the express purpose of making such Constitutional alterations as may seem necessary. The Constitution once established by General Consent, upon the basis of Equality, ought to be held sacred and inviolable by the Legislature: It is this usurpation of Parliament:---it is this violent departure from the original purity of our Laws, that has produced innumerable evils.

We have been lulled into security by the arts of Ministers and their Agents; who insinuate, that *reform* leads to revolution; and by the word 'revolution,' they exhibit, *in terrorem*, all the horrors that have lately distracted France. Therefore, say they, although some reform may be necessary, yet at present, while the Public mind is agitated from without, it is dangerous to hazard a convulsion within. A time of war is not the period calculated for cool reformation; investigations of this serious nature ought to be made when the Nation is at peace. This is the language of men in power at all times: even in the most profound National tranquillity Ministers will find pretences for delaying the restoration of the rights of the people. It ought to be remembered here, that the *once* great Hero of Parliamentary reform, MR. PITT, brought forward, with all the glow of coloring, and all the strength of argument for which he is distinguished, his plan for reformation at the *most critical period, of the American war*; and by two strong resolutions, introduced by himself at the Society held at the Thatched House Tavern

Tavern in the year 1782, he declares it absolutely necessary to TAKE THE SENSE OF THE PEOPLE on this important subject: he recommends them to assemble for that purpose: and urges Gentlemen, during the then approaching recess of Parliament, to use all the constitutional means in their power, to collect the PUBLIC OPINION as the only measure that could insure the success of a radical reform, which he held to be essentially necessary for National existence. Since that æra, MR. PITT has been in Office during a long peace, and the expedient moment is not yet arrived: nor we predict, ever will arrive, unless the people peaceably assemble in such numbers and in such places as may suit their respective conveniences; and in the language of universal Petition, claim a redress of Grievances.

Therefore, Britons, as your own inattention has suffered the Representative branch of the Legislature to be virtually annihilated; it is from your own exertions alone, you must expect relief.

We have been long amused by ideal perfection without enjoying reality. The *Language* of our Laws is EQUALITY, while the *operation* is OPPRESSION. Will any one deny, that our Code of Laws has been suffered to accumulate to a vast mass of obsolete, contradictory, and obscure matter:---understood by none; --tedious in their progress;---uncertain in their application: so prodigiously expensive, that a man of moderate fortune is often ruined in a legal contest with his opulent and arbitrary Neighbour, and the Poor, effectually excluded from the most distant ray of hope, that he may obtain Justice against Oppression! For this truth, we appeal to the general experience of our Countrymen; and we seriously ask them, whether a reform here is not absolutely necessary?

We

We are amused, also, with the idea of Liberty of Conscience in matters of Religion, while we are fettered by penal Statutes, Test Acts, and *coercion*, in raising what is called the revenue of the Church. We appeal to the most useful branch of the Community, the industrious Husbandmen, whether or not the system of *Tythes* is not an oppression of the most destructive and unjust nature? We appeal to the numerous, opulent, and respectable body of Dissenters, whether it is consistent with genuine Liberty, that because they address the Almighty agreeable to the dictates of their conscience, they are therefore to be deprived of some of their essential Civil Rights: nay to be *persecuted* and driven from the bosom of their Country? We appeal to all, whether if a subject performs all the social duties, with faithfulness and integrity, he ought not to be accountable to God alone, for the mode of his religious worship?

We ask the Farmers in general, whether the rigid system of the *Game Laws*, are consistent with the possession and preservation of Property?

We ask, whether exclusive privileges and monopolies are agreeable to the general interests and freedom of trade? We ask, whether an attempt to establish a kind of * *inquisitorial* institution, whereby the liberty of opinion is suppressed;—where each man is excited to act as a spy upon his neighbour?—where we are beset by a legion of venal and corrupt informers; and which tends to diminish the freedom of the press, is consistent with the spirit of Liberty, which we boast that we enjoy superior to the rest of Mankind?

For these and a numerous train of evils and abuses we have one grand Remedy—AN INDEPENDENT HOUSE OF COMMONS.

Once

* Alluding to the late Associations against Republicans and Levellers.

Once render that House pure, and *they* will take care, that all the calamities that spring from corruption, will cease with the extermination of their cause.

What is called a *moderate Reform* of Parliament, such as is the Plan of the present Opposition, is Nugatory and Impracticable. To extend the scale of the elective franchise, short of Universal Suffrage, would only be exchanging one partiality for another, and spreading wider the system of corruption. Universal representation, is the only reform practicable as well as beneficial. By this, corruption and bribery would receive their death's wound, and the Constitution, with all its blessings would be effectually established.

Looking at the present mode of elections, the confusion, debauchery, and wickedness, that in popular contests generally prevail, some may be led to think that Universal Suffrage, would increase these evils in a ratio with the increased number of Voters: but the reverse is the fact. On this head we cannot give a clearer idea of our meaning than by transcribing *verbatim* the opinion of the Duke of Richmond. 'The present number of Members in the House of Commons' (his Grace observes in his Plan*) 'is preserved, so that all apprehensions from too numerous an Assembly ceases.

'An account of the whole number of Males of age in the Kingdom is to be taken, and divided by the number of Members to be sent, which will find the Quota of Electors to chuse one Member; from the best accounts I can now get, it will be about Two Thousand Six Hundred; these are to be formed into Districts or Burghs from the most contiguous Parishes, and by having all the Elections throughout the Kingdom, in one and the same day and taken in each Parish, all fear of riot and tumult vanishes.

'The great expence of Elections, which arises chiefly from the cost of conveying Electors to the place of Poll, and entertaining

* See the Noble Duke's Letter to Colonel Sharman, Chairman to the Committee of Correspondence, appointed by the Delegates of the Irish Volunteers, dated the 15th August, 1783.

‘taining them there and on the road, will be no more, when every man will vote in his own Parish. Bribery must entirely cease; in a single Burgh it would be difficult; on so many as to have any effect impossible. The numbers to be bought, would be infinitely too great for any purse. Besides, annual Parliaments, by their frequency and shortness, would doubly operate in preventing corruption.

By this, Britons may see that the remedy for their calamities is easy and practicable. Universal Representation would beget Universal Independence, and strengthen the bands of Society. Opulence, Talents, Education and Worth, would have all the influence in the Elections they naturally deserve; while the Poor would hold in their own hands, their best security against Oppression.

The Revolution provides us with the means of redress, by allowing us the right of petitioning. Art. V. Of the Bill of Rights States, ‘that it is the right of the Subject to petition the King; and all commitments and prosecutions, for such petitions, are illegal.’ If petitioning, therefore, be the *right* of the Subject, their assembling together for that purpose, must be essentially necessary, and strictly legal. Nay, our Ancestors at the Revolution established, that the Subjects have a right to *claim, demand, and insist* upon ‘all those our *undoubted Rights: the true, ancient, and undoubted Rights, and Liberties of this Kingdom.* I. W. & M. ch. 2d.’

The BRISTOL CONSTITUTIONAL SOCIETY, therefore, anxious and zealous for the emancipation of their Countrymen, invites their assistance and concurrence. They remind their Fellow-Citizens, that it is not merely joining in the popular cry of ‘King and Constitution,’ that evinces true Loyalty. *He* is the best Subject, and the truest Friend to his Country, who carefully watches the operations of Government;—points out its abuses; and lends his *aid* to procure a remedy. Let not, then, Britons deceive themselves. The corruptions and abuses of the State are great and manifold; and he who, blindly or wilfully, is an enemy to Reform, strikes a dagger into the side of his bleeding Country, and contributes to destroy that very Constitution he professes to admire.

By Order of the SOCIETY,
JOHN COCKBURN, Secretary.